



BY THE
Lord Lieutenant General
AND
General Governour
OF
I R E L A N D.
E S S E X.



Whereas we are Authorized and Required by His Majesties Letters, bearing date the 13th. day of February, 1676, to give such further Rules and Directions for the better disposing and Settling the remaining part of the security of the Commissioned Officers which served his Majesty in the wars of Ireland, before the fifth of June, 1649. As we shall see necessary and conducing to the better satisfaction of that interest. We have thought fit to give the following Rules to His Majesties Commissioners appointed for settling the undisposed part of the said security.

First, That in case the Possessor desires to Compound for the Fee of any Lands, Tenements or Hereditaments, and it doth not appeare (otherwise than by his own discovery) that the Kings is Intituled to the same, that the Possessor be Admitted to have His Majesties Title, and be Discharged of the mean Profits, paying one third part of the value of the said Lands, Tenements, or Hereditaments, the same to be valued, viz. the Inheritance of Lands at ten Years Purchase of clear yearly value, other and above the Quite-Rent, and of Houses, and other Hereditaments, at eight Years purchase at the like clear yearly value.

Secondly, That where there is an Incumbrance, and the Possessor desires the Preemption, and bring his own discovery, there the inheritance of Lands, Tenements and Hereditaments to be valued as aforesaid, and the Incumbrance being deducted, the Possessor to pay, viz. an Incumbrance of money by Mortgage or otherwise upon Lands or Houses, one third of the Remain of the value, and if an Incumbrance by Lease for Term of years, the Lease to be indifferently valued, and to pay one third of that value after deduction of the Incumbrance as aforesaid: And if the Incumbrance be from a Parent, to an Infant, in which case the Money is onely forfeited, a third part of the Money.

Thirdly, That where the possessor desires to Compound for the Fee of any Lands, Tenements, or Hereditaments, and by the help of a discoverer the Title already appears, in such case the Discoverer being first satisfied by the Possessor, according to former Rules, the Possessor to pay one moiety of the Remain according to the values aforesaid, yet no Possessor to have any benefit of this Rule, who shall not within twenty days next after notice or warning given him by the said Commissioners, appear before them and accept thereof, without further suit or trouble.

Fourthly, Where the Possessor hath built from the ground since November, 1660. and himself making discovery, to pay Ten years Purchase according to the value of the ground as the same shall appear to be worth before the said Improvements, and where there was any former building, upon the ground which has been since pulled down, and New built or repaired, the said Possessor to pay eight years purchase, according to the value of the said former building,

And we do hereby lastly order and Declare, that in all Certificates hereafter to be passed by the aforesaid Commissioners of any Mortgaged or Incumbered houses or Lands within the security of the said Commissioned Officers, to any person who now is or hereafter shall be intitled to the Preemption of the same, or that shall by Contracting or giving most, come to have the Inheritance, and see thereof absolutely adjudged or decreed to him, The said Commissioners do thereupon ascertain and reserve the Quitrents payable thereout to his Majesty, according to such proportion as the whole value of the said Respective houses or Lands at the rate of Ten years Purchase, shall appear to them to exceed the unforfeited Incumbrances thereupon, so that if such houses or Lands shall be of more value and near, but not a full fourth part more than such unforfeited Incumbrances thereupon, in such case only one fourth part of the Quitrent payable by the Acts of Settlement and Explanation shall be Reserved to his Majesty out of such houses or Lands, And so in like manner and proportion where the value of such houses or Lands shall appear in a greater or less proportion to exceed such unforfeited Incumbrances thereupon, But so as the Rents that shall be so reserved, be not in any case less than one fifth Part of the net Quitrents payable to his Majesty out of such Lands by the said Acts, and that the said Rents so to be reserved, be also in all cases something more than the Rent payable to his Majesty out of such Lands in the year 1641. And that upon passing such Certificate, the Rents therein to be reserved be made payable to his Majesty from the Date of such Certificate, And whereas the present Farmers of his Majesties Revenue, have declared their willingness and readiness to consent and agree to the moderation & abatement of Quitrents according to the proportion aforesaid, in all cases where the present Proprietor or Possessor of any Mortgaged or Incumbered Lands or houses, within the security of the forty nine Officers, shall be willing to compound and agree for the preemption or Redemption of the Mortgages & Incumbrances thereon, & pass Letters Patents thereof with all convenient speed, We do hereby further order, that in all such cases the said Commissioners do acquaint the said Farmers of his Majesties Revenue of such persons as they shall thereunto nominate or appoint, with the proceedings as for what Relates to the Quitrent which from time to time shall be made by them with any such Proprietor or possessor, & more especially with the value the said Commissioners shall put upon such lands, in order to the ascertaining the Rent to be reserved thereout, to the end the said Farmers, or the persons thereunto appointed by them being satisfied therein, may agree and consent thereunto, or otherwise declare and offer their reasons to the contrary, or causes why they do not Consent, And in case any Difference shall happen between the said Farmers & the said Commissioners concerning the valuation of such houses or lands, or the due proportioning of the said Quitrents, the same is as well by the said Farmers, or those appointed by them, as by the said Commissioners to be certified or Represented to the Lord Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being, to be finally settled and determined, as upon due Consideration and Examination of the matter in difference shall be by him found reasonable and just.

Given at his Majesties Castle of Dublin, the 16th. day of August, in the 29th. year of His Majesties Reign, 1677.

W. Ellis.

God save the King.

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